

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Prisons Department - Sri P.Srinivasa Rao, Ex-Warder, Sub-Jail, Bapatla, Guntur District – Review Petition against the penalty of “dismissal from service” - Modification of Punishment -Orders – Issued.

HOME (PRISONS) DEPARTMENT

G.O.MS.NO. 129

Dated: 29-05-2013

Read the following:-

1. Proceedings of District Sub Jails Officer, Guntur, Charge Memo No.DSJO/GNT/JACT/845-855/2009, dated 02-03-2009.
2. Proceedings of District Sub Jails Officer, Guntur, Charge Memo No.DSJO/JACT/GNT/1182-1185/2009, dated 26-03-2009.
3. Proceedings of District Sub Jails Officer, Guntur, Charge Memo No.DSJO/GNT/JACT/3275-3280/2009, dated 17-09-2009.
4. Proceeding of the Deputy Inspector General of Prisons (CAR), Rajahmundry vide No.DIG/OS/207/2010, dated 04-02-2010.
5. Proceeding of the Director General of Prisons and Correctional Services, A.P., Hyderabad No.EA4/63/2010 dated 18-05-2010.
6. From Sri P.Srinivasa Rao, Ex-Warder, Sub-Jail, Bapatla Guntur Dist., petition dated 18-06-2012.
7. From the Director General of Prisons and Correctional Services, A.P., Hyderabad, Letter No.NG.4/696/2012, dated 19-12-2012.

ORDER :

Whereas Sri P.Srinivasa Rao, Ex.Warder, Sub-Jail, Bapatla was placed under suspension by the District Sub Jails Officer, Guntur for dereliction of duties, and for sexually harassing female Home Guards. In the reference 2nd read above the District Sub Jails Officer, Guntur framed the following articles of charges:

- “ That the said Sri P.Srinivasa Rao, while working as Warder at Sub-Jail, Bapatla exhibited grave misconduct in the performance of his duties as he has acted in a discourteous and discriminate manner with the female home guards namely (1) FHG No.1416 Ch.Mohana Kumari (2) FHG No.1413 K.Mary Sujatha ever since they were working in the Sub-Jail, Bapatla, i.e. from 11-06-2007 and 25-08-2008, till he was placed under suspension and had indulged in sexual harassment which is unbecoming on his part and is against Rule 3 (2) and 3 C of the A.P.Civil Services (Conduct) Rules, 1964 and the Government orders issued from time to time for the protection of working women”.
 - ii. “That the said Sri P.Srinivasa Rao, while working as Warder at Sub-Jail, Bapatla disobeyed the instructions of his superiors and allowed 3rd interview on 29-01-2009 to a prisoner by name K.Ramesh without prior permission from the competent authority and when it was questioned he quarreled with the staff and threatened them, which is against rule No.89 & 95 of the A.P.Prisons Rules, 1979”.
2. After following due procedure as per CCA Rules 1991, the District Sub Jails Officer, Guntur has awarded the following punishment to the individual vide reference 3rd read above which was confirmed by the Director General of Prisons and Correctional Services, A.P., Hyderabad in the reference 5th read above.
- “Dismissed from the service for his proven gross negligence and carelessness towards his duties and misbehavior with the staff and indulging in sexual harassment of female home guards”.

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3. Aggrieved by the above, the individual, vide reference 6th read above, filed a review petition to the Government to reinstate him into service.
4. Government have examined the matter taking into consideration of his representation on a humanitarian basis and decided to modify the penalty of Dismissal from service issued by the District Sub Jails Officer, Guntur vide proceedings 3rd read above.
5. Accordingly, the Government, in exercise of the powers conferred under Rule 33 of the A.P.Civil Services (CCA) Rules, 1991 hereby allow the Review Petition partly, duly modifying the penalty of Dismissal from service issued by the District Sub Jails Officer, Guntur vide proceedings 3rd read above and confirmed by DG Prisons vide proceedings 5th read above, to that of "Reduction in time scale of pay by (3) stages for (3) years with cumulative effect on future increments and pension" and the period of suspension and out of employment to be treated as "Not on duty".
6. The individual is warned that any repetition of such mistakes or indulging in actions unbecoming of a responsible Government Servant will be viewed seriously.
7. The Director General of Prisons and Correctional Services, A.P., Hyderabad, shall take necessary action in the matter accordingly.
8. The records furnished by the Director General of Prisons and Correctional Services, A.P., Hyderabad, in the 6th read above, are returned herewith with a request to acknowledge the same.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRABHAKAR D.THOMAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Director General of Prisons & Correctional Services, A.P., Hyderabad

Copy to:-

The Individual through the Director General of Prisons & Correctional Services, A.P., Hyderabad

//FORWARDED::BY ORDER//

SECTION OFFICER